

Official Minutes for Webb County Commissioners Court Special Meeting

Monday, June 21, 2004 at 1:00 PM

(Approved 06-28-2004)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a special meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 16th of June 2004. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by Cmr. Gutierrez

- Item No. 4 Approval of minutes – May 24, 2004

Cmr. Gutierrez motioned to approve the minutes as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 6 Communications

Judge Bruni requested a moment of silence in memory of the passing of Former President Ronald Reagan as well as Mr. Fernando Laurel, III and Mr. Oscar Peña, Jr.

Cmr. Vasquez stated that the death of President Reagan is a deep loss to this country, regardless of party affiliation. He reminded the court of President Reagan's belief that government is not the solution to problems and that bigger government was not better government. He stated that with this in mind, his main objective during the budget cycle would be a pay raise for all county employees.

Cmr. Gutierrez advised the court and public that she has been asked to serve on a taskforce to implement recent legislation regarding the uninsured in Texas. She also welcomed several TAMIU Political Science students who were present at the meeting.

Cmr. Velasquez stated that he had been advised by Judge Bruni on Friday that the meeting would not be held and therefore did not attend. He stated that at no time did he advise Cmr. Vasquez that he would not attend due to the make-up of the quorum and furthermore that he would no longer communicate with Cmr. Vasquez from this point forward.

Cmr. Cortez wished a belated "Happy Father's Day" to all fathers. He also wanted to thank his wife and family for their continued love support over the years. He stated that he and his wife celebrated their 50th wedding anniversary this past weekend.

Item No. 5 Approval of bills, payroll and monthly reports

Mr. Leo Flores, County Auditor, submitted his monthly report ending May 31, 2004. He stated that page 24 of the report showed revenues at 80% collected and page 26 showed expenditures at 60% expended. He stated that as long as a gap of 3% is maintained between revenues collected and expenditures spent, it would be enough to cover the expected \$1.2 million shortfall in jail revenues. He also stated that sales tax revenue remains over the projected numbers and the sales tax report had not been included for the month of May. Cmr. Velasquez questioned why no payments were shown on page 16 for Certificates of Obligation payments for 1996, 1998, 1999, 2000 and 2001. Mr. Flores stated that payments are made bi-annually and are currently being processed. Cmr. Velasquez requested better reports in the future.

Cmr. Gutierrez motioned to accept the Auditor's Report as presented. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 7 Public Comment

Mr. Richard Geissler was present to address the court on Item No. 75. He stated that he felt that the chosen location was unsafe due to the fact that it was located alongside a very dangerous stretch of highway. He also expressed concerns over the lack of public transportation to that location. He stated that the location must be a place accessible to the public and the court should spend more money in order to obtain a closer site.

Cmr. Vasquez stated that as a former juvenile probation officer, he had parents and children coming from as far as El Cenizo to his office. He stated that property chosen was located within the city limits and city would be responsible in extending public transportation to that area. He stated that he felt certain that the city and county would be able to work out an agreement to provide public transportation.

Mr. Roberto Salinas, Salinas Investments, Inc. was also present to address Item No. 75. He expressed concern that his property was not chosen though it met all specifications and was priced lower. He stated that he did not see any reasoning in spending more money when his site was the same size and provided water and sewer services.

Item No. 8 Discussion and possible action authorizing the Purchasing Agent to secure the services of Drash Consulting Engineers, Inc. to inspect the structural strength of the Sheriff's Radio Tower on HWY 83 North and prepare a report indicating the structural soundness of the tower and the proper steps Webb County should take. [Account # 001-0109-6022 Professional Services]

Judge Bruni expressed concerns about the danger not only to the community but the communication between law enforcement if the current tower were to fall. Mr. Tomas Rodriguez, County Engineer, stated that Drash Consulting submitted a report by Mr. Palacios which gives several options. Mr. Palacios stated in his report that the tower could fail at any time and would be unable to sustain higher than 100 M.P.H. winds and that it was close to the end of usefulness (shelf life of 30 years) and would cost approximately \$160,000 to replace. Mr. Rodriguez recommended looking into the county's assets and looking into using the DPS and Border Patrol towers to set up back-up equipment in the event that the tower falls between now and the time it can be replaced. Cmr. Cortez requested that Mr. Rodriguez come before the court with a report on the cost of setting up the back-ups. Mr. Homero Ramirez, County Attorney, stated that this would be a two-part proposal – 1) evaluate the current tower and 2) determine the county's needs. He requested that the item be tabled until the next meeting so that the item can be clarified and stated correctly. Mr. Mario G. Cavazos, Radio Communications Supervisor, stated that the tower needed to be replaced but that the system itself was on back-up in the event it is rained out or if there is a black out. Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that the approximate cost would be \$250-375,000 and if the item was tabled, he would come before the court with a recommendation.

Cmr. Velasquez motioned to table item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 9 Discussion and possible action to approve the following line item transfer:

From:	001-0202-6205	Materials & Supplies	\$567.20
To:	001-0202-5001	Payroll Account	\$567.20

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Velasquez expressed concern over this item since prior discussions had indicated that no monies from operating expenses could be transferred to payroll.

- Item No. 10 Discussion and possible action to review/re-visit the Food Service Contract with Webb County and the provider (Ben E. Keith Food Company), pursuant to budget constraints for those departments that are involved in food service.

Cmr. Velasquez expressed concerns about the Community Action Agency and Headstart having to purchase food commodities through Ben E. Keith Food Company at prices higher than the Food Bank or local grocery store. He inquired whether those departments would be allowed to purchase their food commodities from other vendors when they are at a lower price. Mr. Homero Ramirez, County Attorney, stated that as per contract, all food commodity purchases must go through the Purchasing Department and be purchased from contracted vendor. Cmr. Velasquez expressed concerns about those departments who receive their funding from the federal government and what would be done when those monies run out. He stated that before the contract is approved, there should be some feed back from those departments who are affected by it. Mr. Eloy Ramirez, Purchasing Agent, stated that food for the Headstart program must have child nutrition information and cannot be purchased if it does not have that information. Cmr. Vasquez urged those departments who must purchase food commodities to purchase from other vendors if they legally can due to the exorbitant prices charged by Ben E. Keith. Cmr. Gutierrez expressed concerns about the Meals on Wheels program and its budget constraints. She stated that the court needed to be conscious of the fact that monies for that program are running low.

Judge Manuel Flores, 49th District Court, approached the court to address the court on Item No. 75. His comments are shown under Item No. 75.

Cmr. Cortez echoed Cmr. Gutierrez's concerns and felt that food must meet the criteria set by the federal government. He also expressed concern about raises that nine employees received from the food budget.

Cmr. Velasquez motioned to table item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 11 Discussion and possible action to solicit request for proposals for a site in Precinct # 3 for the construction of a neighborhood community center.

Cmr. Velasquez stated that \$200,000 had been allotted for this project from bond monies.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 12 Status report on the monument for Jose Gerardo "Curly" Herrera

Mr. Carlos Villarreal, Commissioners Court Executive Administrator, stated that sketches for the monument would be ready by the end of the week and there would be a meeting scheduled with the family. He stated that it would include space to include the names of other fallen peace officers with a possible dedication in September 2004 after a location has been chosen.

Item No. 13 Discussion and possible action to implement summer hours for the Webb County Court House, beginning Friday, June 18, 2004 through September 9, 2004 (the last 9 hour workday). Schedule to be as follows:

Monday – Thursday	8:00 a.m. – 12:00 noon, 12:30 p.m. – 5:30 p.m.
Friday	8:00 a.m. – 12:00 noon

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Cmr. Vasquez stated that this had been done for the previous two years and felt that this was unfair since it only permitted those employees at the courthouse to leave early on Fridays and not the rest. Judge Bruni and Cmr. Cortez stated that their offices would remain open until 5:00 pm on Fridays.

Motion failed 2-3 with Judge Bruni, Cmr. Vasquez and Cmr. Velasquez voting against.

Cmr. Gutierrez clarified that the employees would continue working a 40 hour work week with extended hours Monday to Thursday that would allow them to leave early on Friday. She also stated that any elected official has the right to set their own hours.

Item No. 14 Discussion and possible action to approve the following line item transfers:

From:		
001-1050-6031	Capital Murder Cases	\$90,000.00
To:		
001-1050-6024	Court Appointed Attorney's	\$20,000.00
001-1050-7001	Indigent Defense Attorney's	\$70,000.00

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Leo Flores, County Auditor, stated that original budget for Capital Murder Cases was \$100,000 and \$10,000 was transferred already. He stated that 3 out of 4 cases are handled by the Public Defender's Office and 1 out of 4 must be assigned a private attorney. He stated that approximately \$170-200,000 will be needed to pay the bills that are currently pending. Mr. Raul Casso, County Judge's Chief of Staff, stated that the Public Defender's Office had the highest growth in staffing but has not decreased the number of court appointed attorneys. Mr. Leroy Medford, Public Defender's Office, stated that certain types of cases are not handled by the Public Defender's Office and must be assigned private attorneys (juvenile cases, cluster court cases, etc). Mr. Homero Ramirez, County Attorney, recommended that the court approve the item and meet with Mr. Leo Flores, County Auditor to look at the departments budgetary needs. Cmr. Gutierrez clarified to the court that this item was not from the Public Defender's Office but from the 341st District Court. She stated that this was due to legislation that required adjudication within 72 hours of arrest and that Judge Ender had come before the court to address this issue. Cmr. Vasquez advised Court that judges are not obligated to use the Public Defender's Office. Mr. Ramirez advised that court that a new law may require that certain cases be handled by attorney's with certain levels of experience and may further raise the need and appointment of private attorneys.

Motion carried 5-0 by unanimous consent.

Item No. 15 Discussion and possible action to approve the following line item transfer:

From:		
166-2985	Fund Balance	\$10,000.00
To:		
166-2500-5003	Overtime Pay	\$ 5,000.00
166-2500-6708	Other Law Enforcement	\$ 5,000.00
(Constable Forfeiture Fund – No Impact to General Fund)		

Mr. Homero Ramirez, County Attorney, requested that the court only approve the line item transfer for \$5,000 to Overtime Pay due the other transfer cannot be done.

Cmr. Gutierrez motioned to approve line item transfer for \$5,000 to Overtime Pay only. Cmr. Velasquez seconded the motion with discussion.

Mr. Ramirez stated that the purpose for the transfer to Other Law Enforcement was to make a donation to Laredo Community College Police Academy and it could not be done.

Motion carried 5-0 by unanimous consent.

Item No. 16 Discussion and possible action to donate \$5,000.00 to the Laredo Community College Police Academy to assist with their law enforcement training. [Account #166-2500-6708 Other Law Enforcement]

Mr. Homero Ramirez, County Attorney, requested that the court table this time.

Cmr. Gutierrez motioned to table Item No. 16. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Velasquez stepped out.

- Item No. 17 Discussion and possible action to accept Webb County's share of distribution proceeds (21.5021%) from tax resale of the following real estate property: Lots 4 and 5, Block 1299, Eastern Division, Laredo, Webb County, Texas. The property is being bought by the City of Laredo for its Tinaja Creek Improvement Project.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

- Item No. 18 Discussion and possible action to accept Webb County's share of distribution proceeds (22.04%) from tax resale of the following real estate property: Lots 7 and 8, Block 1299, Eastern Division, Laredo, Webb County, Texas. The property is being bought by the City of Laredo for its Tinaja Creek Improvement Project.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

- Item No. 19 Discussion and possible action, by resolution and order of the Court, to enter into an "Advance Funding Agreement for Bridge Replacement or Rehabilitation of the State System" with the State of Texas, Texas Department of Transportation for the replacement or rehabilitation of the bridge at San Lorenzo and authorizing the County Judge to sign the order and resolution and all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

- Item No. 20 Discussion and possible action to authorize the issuance of a letter of credit, or other financial guarantee, in an amount not to exceed TWO

HUNDRED SEVENTY THOUSAND DOLLARS (\$270,000.00) for the improvements required in connection with the Webb County Self Help Center Plat and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

- Item No. 21 Discussion and possible action to authorize the County Judge to sign the approved plat of the Webb County Self Help Center and any other relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

- Item No. 22 Discussion and possible action to enter into a Third Party Funding Agreement with CASA for \$5,000.00 and authorizing the County Judge to execute all relevant documents. [Account # 001-0110-7491 CASA]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

Cmr. Velasquez returned

- Item No. 23 Discussion and possible action to enter into an agreement with the Comptroller of Public Accounts, State Energy Conservation Office, for the Clean Cities Program through August 31, 2004, reimbursable by the State for up to TEN THOUSAND DOLLARS (\$10,000.00) and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 24 Discussion and possible action for the court, through the Webb County Head Start Program to exercise its sixth (6) option on a property lease agreement with Max L. Watts, President of VIMOSA II, for the Webb County Head Start Center located at 102 Sierra Vista Boulevard in the

City of Laredo for an additional year (2004-2005) ending on August 31, 2005 at an annual rate of one dollar (\$1.00) and authorizing the County Judge to sign all relevant documents. [Requested by Head Start Program]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 25 Discussion and possible action to enter into a lease agreement between Webb County for the Head Start Program and Jaime Gomez, Jr. and Maria A. Gomez for the property situated at 5904 West Drive, Units 6 & 7, in Laredo, Webb County, Texas for use as administrative offices for the Head Start Program for a term of thirty-six (36) months commencing on July 1, 2004 and ending on June 30, 2007, at a monthly rental payment of THREE THOUSAND FOUR HUNDRED AND SEVENTY-FIVE DOLLARS (\$3,475.00), and authorizing the County Judge to execute any and all relevant documents. [Requested by Head Start Program]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 26 Discussion and possible action to execute a lease between Webb County and Beatriz Cruz for the property situated at 3520 Monterrey, in Laredo, Webb County, Texas for use as a Head Start Program Center for a term of one (1) year commencing on September 1, 2004 and ending on August 31, 2005, and at a monthly rental of EIGHT HUNDRED AND THIRTY THREE DOLLARS AND FORTY NINE CENTS (\$833.49), and authorizing the County Judge to execute any and all relevant documents. [Requested by Head Start Program]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 27 Discussion and possible action to execute Amendment Number Four (4) to original contract No. 11K1965 (Home-Delivered Meals Services) effective July 1, 2004, between the Texas Department of Human

Services and Webb County which now requires Webb County to store and maintain records concerning this contract if Webb County ceases to provide Home-Delivered Meal services and changes the effective date from May 1, 2004 to July 1, 2004, and authorizing the County Judge to sign all relevant documents. [Requested by Community Action Agency]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 28 Discussion and possible action to execute a lease between Webb County and George Royle Wright for the property situated at 1118 Constantinople, in Laredo, Webb County, Texas for use as a Head Start Program Center for a term of one (1) year commencing on September 1, 2004 and ending on August 31, 2005, and at a monthly rental of NINE HUNDRED DOLLARS (\$900.00), and authorizing the County Judge to execute any and all relevant documents. [Requested by Head Start Program]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 30 Discussion and possible action to enter into an Equipment Lease Purchase Agreement with Government Capital Corporation for one (1) Digital Copier and accessories to be located at the Webb County Water Utilities Department for a twenty-four (24) month period (June 14, 2004 through June 13, 2006) in the amount of TWO THOUSAND SEVEN HUNDRED AND THIRTY-TWO DOLLARS AND FIFTY-TWO CENTS (\$2,732.52) per year and authorizing the County Judge to sign all relevant documents. [Requested by Purchasing Department, Account # 801-3001-6014 Equipment Rental]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 29 Discussion and possible action to enter into a lease with Roberto Gonzalez and the Estate of Carlos De Jesus Kazen for the premises

located at 3501 Corpus Christi Street, Laredo, Texas for use at a monthly rental of ONE THOUSAND TWO HUNDRED AND FIFTY DOLLARS (\$1,250.00) for the Webb County Head Start Program for a period of three (3) years beginning August 1, 2004 and terminating on July 31, 2007, and authorizing the County Judge to sign all relevant documents. [Requested by Head Start Program]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 31 Discussion and possible action to enter into an Equipment Maintenance Agreement with Unitech Business Solutions, Inc. for one (1) digital copier to be located at the Webb County Water Utilities Department for a twenty-four (24) month period (June 14, 2004 through June 13, 2006) at costs of overages of (\$.008) per copy and authorizing the County Judge to sign all relevant documents. [Account # 801-3001-6014 Equipment Rental]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32 Discussion and possible action to enter into lease amendment number 1, with the Texas Parks and Wildlife Department by extending a lease for boat storage at the Lake Casa Blanca State Park an additional twenty-four months to August 31, 2006, for a monthly rental of ONE HUNDRED DOLLARS (\$100.00) per month and authorizing the County Judge to sign all relevant documents.

Mr. Leo Flores, County Auditor, clarified that item was to receive payment from the Texas Parks and Wildlife Department for boat storage at the Road and Bridge Department.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 33 Discussion and possible action to, by resolution and order of the Court, enter into a "Local Transportation Project Advance Funding Agreement for A Statewide Connectivity Corridor Project" with the State of Texas,

Texas Department of Transportation for the construction of a new Seven Lane Urban Section (Quatro Vientos Road) and authorizing the County Judge to sign the order and resolution and all relevant documents.

Cmr. Cortez motioned to table Item No. 33. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 34 Discussion and possible action to enter into a Equipment Maintenance Agreement with Office Communications Systems, Inc. for five (5) Toshiba Digital Copiers which were purchased by various Webb County Offices and Departments:

- (1) Webb County District Clerk's Office copier (\$.0058 per copy);
- (2) Webb County Attorney's Office copier (\$.0058 per copy);
- (3) Webb County Risk Management Dept. copier (\$.0058 per copy);
- (4) Webb County Auditor's Office copier (\$.0058 per copy);
- (5) Webb County Central Jury Room copier (\$.0075 per copy);

For a twelve (12) month period (11/26/03 through 11/25/2004) at costs based on the overages listed per copier and authorizing the County Judge to sign all relevant documents. [Requested by Purchasing Department]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 35 Discussion and possible action to enter into a subcontract with the Laredo Chamber of Commerce to carry out the requirements of the State Energy Conservation Office Agreement – Interlocal Cooperation Act, Clean Cities Coordinator Program, reimbursable by the State for up to TEN THOUSAND DOLLARS (\$10,000.00) through August 31, 2004 and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36 Discussion and possible action to enter into a construction contract with CG Construction, Inc., for the alterations to the Webb County Justice Center in the amount of ONE HUNDRED SEVENTY-EIGHT THOUSAND SIX HUNDRED FIFTY-EIGHT DOLLARS AND TWELVE

CENTS (\$178,658.12) and authorizing the County Judge to sign all relevant documents. [Account # 687-0117-8601 Construction in Progress]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and possible action to enter into a second restated contract with the Law Offices of Francisco J. Saldana by extending the contract term to September 30, 2006, increasing the scope of services to include additional colonias and updating the schedule of charges for the title reports to review title issues and prepare right-of-way documents for properties located in the colonias and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and possible action to enter into a WIA Summer Employment Worksite Non-Financial Agreement with the Texas Workforce Center of South Texas for the placement of a total of approximately eighty students in forty slots at no cost to the County, subject to final approval of the terms and conditions of the contract by the County Attorney and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Mr. Nathan Bratton, Assistant County Attorney, stated that the eighty (80) students would be sharing forty (40) slots due they would only be working 4 hours a day and would be split into morning and afternoon shifts.

Motion carried 5-0 by unanimous consent.

- Item No. 39 Discussion and possible action authorizing the County Judge to submit an "Economically Disadvantaged Counties Program Project Information Sheet" and an "Affidavit" for the Cuatro Vientos Project.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

BREAK

Cmr. Gutierrez motioned to move up Item No. 70. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 70 Discussion and possible action to approve request for refunds as recommended by the Tax Assessor-Collector as follows:
Name: Chase Manhattan Mortgage Corporation
Reason: Paid Wrong Account
Total: \$2,968.83

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 40 Discussion and possible action authorizing Change Order No. 2 to Zertuche Construction in the amount of \$38,020.00 for the installation of a 30' x 50' pavilion, roof, plumbing, electrical and other accessories to the Oilton Community Center Park. [Account # 678-8103-8710-2 Park Development Series 2001 and Account # 695-6004-8710-2 Park Development Series 2002]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 41 Discussion and possible action awarding Change Order No. 1 to Jimmy Closner & Sons Construction Co. Contract in the amount of \$9,868.50 to pay for additional permit fees to the City of Rio Bravo. The City of Rio Bravo is charging \$29,868.50, is not willing to give the County a copy of their calculations and is threatening to stop their project. [Account # 648-8006-8801-11 Capital Outlay Texas Water Development Board]

Cmr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion failed 2-3 with Cmr. Vasquez, Cmr. Velasquez and Cmr. Cortez voting against.

- Item No. 42 Discussion and possible action awarding Change Order No. 1 to Caldwell Tanks Inc. in the amount of \$13,348.25 for the installation of an elevated tank inside the City of El Cenizo. This will increase the contract from \$496,000.00 to \$509,348.25 and is subject to Texas Water Development Board's approval.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 43 Discussion and possible action authorizing the County Judge to execute an agreement with the Texas Department of Transportation to work jointly on their FM 649 Road & Storm Drainage Project and our Street Paving and Storm Drainage Project in Mirando City.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 44 Discussion and possible action to approve the submission of a grant application to the Texas Association of Regional Councils for a Citizen Corps Grant to provide training, equipment, and administrative support for the sustainability of Community Emergency Response Teams (C.E.R.T.) in the amount of \$15,000 and designating the Honorable Louis H. Bruni as the authorized official. This grant is at no cost to the County.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 45 Discussion and possible action to approve Change Order #2 to the Zertuche Construction Contract (Library Addition to the Larga Vista Community Center) funds are to be used out of the Contingency Account, One Thousand, Eight Hundred Fifty-Four Dollars and No Cents (\$1,854.00) for the installation of a sewer line connection along the sidewalk. [Account # 655-6111-8601 Construction in Progress]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 46 Discussion and possible action to approve payment to Zertuche Construction for the Library Addition to the Larga Vista Community Center in the amount of \$18,928.75 (Eighteen Thousand Nine Hundred Twenty-Eight dollars and Seventy-Five cents) for Professional Construction Services. [Account # 660-6110-8601 Construction in Progress (Balance: \$15,018.00), Account # 660-0101-8801 Capital Outlay Series 2003]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 47 Discussion and possible action to amend the Webb County CAA Self-Help Center lease agreements end date from July 31, 2004 to August 31, 2004 at a cost of six hundred (\$600.00) dollars and authorizing the County Attorney's Office to prepare the amended lease agreement between Webb County and Ms. Graciela Rocha. The amendment is needed to allow time for the Self-Help Center staff to relocate to their new Self-Help Center facility. [Account # 504-6500-6012 Space Rental]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 48 Discussion and possible action to amend the Webb County Rio Bravo Housing Rehabilitation Guidelines to include the Texas Department of Housing and Community Affairs (TDHCA) TCDP Contract # 721003; TDHCA- HOME Investment Partnership Program Contract # 542006 Contract for Deed Conversion Program; TDHCA- HOME Investment Partnership Program Contract # 1000038 Owner Occupied Housing Assistance Program; and U. S. Department of Housing and Urban Development (HUD) Neighborhood Initiative Grant # B-00-NI-XWC0002. The amendment will unify all current housing assistance program guidelines so that all housing related programs follow the same State approved Webb County Housing Rehabilitation Guidelines.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 49 Discussion and possible action to approve the Head Start One Time Fund Application for Fiscal Year 2004-2005 (September 1, 2004 through August 31, 2005). Amounts are \$270,000.00 (Priority I – Kitchen Modular Building with a walk-in freezer), \$43,000.00 (Priority II – Fire Alarm System for 20 sites), \$175,000.00 (Priority III – Safe Surfacing Tiles), and \$47,000.00 (Priority IV – 30 Passenger School Bus) for a total of \$535,000.00 (federal) and \$133,750.00 (in-kind), and a Grand Total of \$668,750.00.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 50 Discussion and possible action to approve the Head Start Supplemental Application for Fiscal Year 2004-2005 (September 1, 2004 through August 31, 2005). Amounts are \$120,615.00 (cost of living) and \$30,154.00 (in-kind), for a Grand Total of \$150,769.00.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 51 Discussion and possible action to fill vacant slot # 1891, General Assistance Eligibility Worker I, at an hourly rate of \$9.00, effective June 22, 2004.

Cmr. Cortez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 52 Discussion and possible action to authorize the following line item transfer:

From:	001-1041-6205	Materials & Supplies	\$1,000.00
To:	001-1041-6224	Minor Apparatus & Tools	\$1,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 53 Discussion and possible action to fill slot # 334, Detention Officer, at \$10.90/hour and slot # 348, Detention Officer II, at \$994.40 bi-weekly; effective July 7, 2004.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 54 Discussion and possible action to authorize the following line item transfer:

From:	001-6103-6204	Fuel & Lubricants	\$1,200.00
To:	001-6103-6403	Vehicle Maintenance	\$1,200.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 55 Discussion and possible action to fill slot # 1725, Assistant Defender, at an annual salary of \$48,748.00, effective June 22, 2004.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 56 Discussion and possible action to solicit bids for annual contracts for Plumbing Supplies and Janitorial Supplies.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 57 Discussion and possible action to authorize the Purchasing Agent to participate in the Texas Building and Procurement Commission Federal Surplus Property Program (TBPC-FSP) and authorizing the Webb County Judge to execute all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 58 Discussion and possible action to purchase one (1) Tape Drive Series 3583 in the amount of \$22,979 from Sirius Computer Solutions for the Management Information Systems Department. [Account # 001-0500-8801 Capital Outlay]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 59 Discussion and possible action to award/reject bid # 2004-52 "Roof Repairs" to Zertuche Construction, L.L.C., in the amount of \$108,566.

Mr. Eloy Ramirez, Purchasing Agent, stated that this item was for the roof repairs for damage sustained during the June 2003 storm and would be paid using monies received from the insurance company. He stated the other bidder was Tomas R. Espinoza Consultants & Services.

Cmr. Gutierrez motioned to award bid 2004-52 to Zertuche Construction LLC in the amount of \$108,566. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 60 Discussion and possible action to purchase two (2) special service police units in the amount of \$35,726.00 from Lawrence Marshall, contract VE 10-03 through the Houston Galveston Area Council. [Account # 169-1100-8801 Capital Outlay District Attorney Federal Forfeiture Funds]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 61 Discussion and possible action to award/reject bid # 2004-56 "Annual Contract for Weatherization Materials and Rehab Materials": Primary Vendor – Lowe's and Secondary Vendor – Dr. Ike's.

Mr. Eloy Ramirez, Purchasing Agent, requested that item be tabled.

Cmr. Vasquez motioned to table Item No. 61. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 62 Discussion and possible action to solicit bids for the following annual contracts:
Flexible Base
Motor Vehicle Batteries
Heavy Equipment Parts
Sliced Bread
Janitorial Supplies
Maintenance and Service of Fire Extinguishers
Plumbing Supplies and Parts
State Safety Inspection Certificate for County Vehicles
Ice
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 63 Discussion and possible action to purchase eleven (11) 15 inch flat panel color monitors with adjustable stands from Dell in the amount of \$4,247.10 for the Juvenile Justice Center. These monitors were not included in the Juvenile Department's original Capital Outlay list and are being funded with the savings realized through their van purchase. [Account # 660-1301-8801 Capital Outlay Series 2003]
- Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 64 Discussion and possible action to purchase the additional audio (\$8,825) and video (\$18,545) equipment for the Webb County Courthouse from Texas Media Systems in the amount of \$27,370. [Account # 660-0101-8801 Capital Outlay Series 2003]
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 65 Discussion and possible action to purchase thirteen (13) computers in the amount of \$21,139.95 from IBM WISCA Contract for the Law Enforcement Center from Block Grant # 2003-LB-BX-1696. [Account # 317-2001-6224 Minor Apparatus and Tools]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 66 Discussion and possible action to solicit bids to prepare and install concrete pads, playground supplies and hardware for the following sites: Larga Vista, El Cenizo, Villa Alegre, Jesus Garcia, Guadalupe and Little Folks Head Start Centers. [Account # 903-4208-6225 Playground Supplies and # 903-4208-8801 Capital Outlay]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 67 Discussion and possible action to purchase ten (10) complete computer systems in the amount of \$10,220 from Larry Norton for the Webb County Head Start Program. [Account # 903-4208-6224 Minor Apparatus and Tools]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 68 Discussion and possible action to purchase one (1) computer and one (1) printer from Larry Norton in the amount of \$1,857.52 and two (2) laser jet printers from PC Mall Government in the amount of \$788 for the Justice of the Peace, Precinct 1 Place 2. [Account # 016-1041-8801 Capital Outlay Justice Court Technology Fund]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 69 Discussion and possible action to fill the following slots (fund # 010-7002), effective June 22, 2004:
Heavy Equipment Operator, slot # 2120 at \$11.26/hr
Equipment Operator, slot # 697 at \$9.19/hr
Welder II, slot # 1993 at \$10.26/hr

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez to recess as Commissioners Court. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

COURT RECESSED TO RECONVENE WEBB COUNTY CORRECTIONAL CENTER PUBLIC FACILITY
CORPORATION BOARD

Cmr. Gutierrez motioned to reconvene as Commissioners Court. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 81 Order approving the form of the assignment and assumption agreement relating to the certificates of participation, series 1997a; consenting to the corporation's execution and delivery of the assignment and assumption agreement; and authorizing other necessary action relating thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, stated that both the item on the Webb County Correctional Center Public Facility Corporation Board agenda and this item were recommended by bond counsel.

- Item No. 82 Discussion and possible action to exempt the spending of Department #2062-Jail Purchasing from the Court's order regarding the limitation on expenditures (§130.908 of the Texas Local Government Code as adopted May 24, 2004) as it pertains to line item # 6208 – Groceries, line-item # 6209 – Medicines, and line-item # 6714 – Medical Services; and line item # 6201 – Utilities of Department # 2060 – Jail.

Mr. Leo Flores, County Auditor, stated that he was requesting an exemption from the order adopted May 24, 2004 due to the high cost of these purchases and to be able to process these expenditures without having to come before the court for approval and thereby lengthening the payment process to the vendors.

Cmr. Gutierrez motioned to grant the exemption as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 72 Discussion and possible action regarding Civil Action No. L-02-125; Leticia Hernandez and Deanira Vasquez vs. Webb County, Texas, Cynthia Mares, Jorge Flores, and Louis H. Bruni; In the United States District Court for the Southern District of Texas, Laredo Division. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, stated that attorney assigned to this matter was not available and requested that item be deferred until attorney can be present.

Cmr. Gutierrez motioned to defer item. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (3:40 pm to 4:55 pm)

Judge Bruni reconvened meeting and stated that no action was taken while in Executive Session.

- Item No. 71 Discussion and possible action regarding the following matters pertaining to the operation of Webb County-owned Casa Blanca Golf Course by Balt Ramos, Inc.: Addendum to Restated and Amended Golf Course Agreement Matters pertinent to repairs and maintenance expenditures under Restated and Amended Golf Course Agreement Matters pertinent to obligations related to utility expenses under Restated and Amended Golf Course Agreement Renewed Promissory Note payable to Webb County by Balt Ramos, Inc. and guaranteed by Baltazar Ramos Authorization for County Judge to execute all necessary documents [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, requested authorization to continue negotiations as per the discussions in Executive Session regarding maintenance, repairs, utilities and promissory note. He stated that settlement would be brought before the court once negotiations have concluded. Mr. Joe Lopez, legal counsel for Balt Ramos, Inc., stated that the restated contract that is effective January 1, 2000 addressed the raising of the green fees and Mr. Ramos has been abiding by that

contract. He stated that the provision allowed Mr. Ramos to increase the green fees up to a specific amount and that has been done by gradually increasing the fees over time. Mr. Ramirez advised court that he also needed direction from the court regarding the green fee escalation. Judge Bruni expressed concerns over the county's responsibility to provide water services to the golf course. Cmr. Gutierrez shared Judge Bruni's concerns and also requested that the court retain authorization over setting the green fees.

Cmr. Velasquez motioned to authorize the County Attorney to continue negotiations as per the discussions in Executive Session. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 73 Discussion and possible action to amend Section 9.05 Webb County Policies manual to eliminate the provision permitting transfer of sick leave from a Webb County employee to his or her spouse. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Cmr. Vasquez motioned to amend Webb County Policies as submitted. Cmr. Velasquez seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that reason for amendment was that policy was unconstitutional as per Texas Constitution.

Motion carried 5-0 by unanimous consent.

- Item No. 74 Discussion and possible action regarding recommendation of Webb County Employee Grievance Committee concerning the grievance of former Road and Bridge Department employee Ulysses Ortegón. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matter)]

Mr. Homero Ramirez, County Attorney, recommended that the court uphold the Grievance Committee's recommendation to sustain termination.

Mr. Ulysses Ortegón stated that he understood the decision made by the Grievance Committee but wanted a second chance. He stated that he had been threatened with termination because he supported a particular candidate. Cmr. Vasquez read to the court a letter from the Texas Workforce Commission that stated that they found no evidence that the termination was due to poor performance or job ability. He also stated that he had been advised by Mr. Jose Luis Rodriguez, Road and Bridge Superintendent, of pressure from the County Judge's office to terminate Mr. Ortegón. Cmr. Cortez questioned Mr. Ortegón as to why he continued using a County vehicle with a suspended license for six months. Mr. Ortegón stated that he was unaware

that his drivers' license was suspended automatically after receiving two violations for failure to maintain liability insurance. He stated that as soon as he found out, he immediately reported it to his supervisor as required. Cmr. Gutierrez stated that she has met with Mr. Ortégón and felt that he deserved a second chance and that the circumstances were out of his control. Mr. Homero Ramirez, County Attorney, stated that Mr. Ortégón did not have a drivers' license or insurance and was therefore a liability to the county.

Cmr. Velasquez motioned to uphold the Grievance Committee's decision to sustain termination. Cmr. Cortez seconded the motion.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Gutierrez voting against.

Item No. 75 Discussion and possible action to rescind action of May 24, 2004 accepting Haynes bid on Youth Village site. The Commissioners Court may entertain any of the following actions, after reconsidering all land bids: 1) Select a bid from the bids offered; OR, 2) Reject all bids, order an exemption from competitive bidding, and authorize the purchase of 15 acres located at the South end of Tract 6, Las Blancas Subdivision, from Mr. Richard E. Haynes for a price per acre to include platting, and water and sewer facilities. Any other matter incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Judge Manuel Flores, 49th District Court, was present earlier in the meeting to address this item. He stated that he was not present when the Board of Judge's chose a site and requested that everyone get together to look into the details of the project. He stated that he felt that 10-15 acres was too big for their needs and requested that the court table the item.

Mr. Homero Ramirez, County Attorney, recommended that the court rescind prior action taken and make choice of two options presented.

Cmr. Cortez motioned to defer item until the entire Board of Judges can meet and make a recommendation to the court.

Motion died for lack of a second.

Cmr. Cortez motioned to rescind action taken on May 24, 2004. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez motioned to defer item until the entire Board of Judges can meet and make a recommendation to the court. Judge Bruni seconded the motion.

Motion failed 2-3 with Cmr. Vasquez, Cmr. Gutierrez and Cmr. Velasquez voting against.

Cmr. Velasquez motioned to approve Option No. 2 as presented. Cmr. Vasquez seconded the motion.

Motion carried 4-1 with Cmr. Cortez voting against.

- Item No. 76 Discussion and possible action to retain counsel for Commissioner Felix Velasquez regarding pending litigation: Jose Gutierrez v. Webb County and Felix Velasquez. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Cmr. Velasquez motioned to table item. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 77 Discussion and possible action on litigation concerning the City of Laredo involving acquisition of approximately 17.33 acres of land from United Independent School District. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, recommended that the court authorize outside counsel, Mr. Jim Allison, to take all necessary action on this item.

Cmr. Gutierrez motioned to accept County Attorney's recommendation. Judge Bruni seconded the motion.

Motion carried 4-1 with Cmr. Cortez voting against

- Item No. 78 Discussion and possible action regarding proposed Settlement Agreement between the United States of America and Webb County, Texas under the American with Disabilities Act; DJ204-74-293. [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, recommended authorizing his office to commence negotiations for a proposed settlement with the U.S. on ADA violations.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 79 Discussion and possible action regarding the Webb County School Land lease for the approximate 2,392.45 acre Cuchilla and Lomas Pastures with Margarito Benavides, Jr., and matters incident thereto. [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, recommended authorization to terminate lease for non-payment and take proper action to retrieve payments due.

Cmr. Velasquez motioned to accept County Attorney's recommendation. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 80 Discussion and possible action regarding Civil Action No. L-03-110; Daniel Lombraña vs. Webb County; In the United States District Court for the Southern District of Texas, Laredo Division. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

Mr. Homero Ramirez, County Attorney, recommended settlement along the parameters discussed in Executive Session.

Cmr. Vasquez motioned to accept County Attorney's recommendation. Cmr. Cortez seconded the motion.

Motion carried 4-1 with Cmr. Velasquez voting against.

Item No. 83 Adjournment

Cmr. Gutierrez motioned to adjourn meeting. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.